

PCB CRJU 06-09

ORIGINAL

2006

1 A bill to be entitled

2 An act relating to time limitations for criminal
3 prosecutions; amending s. 775.15, F.S.; providing that a
4 prosecution for certain specified offenses, unless
5 otherwise barred by law, may be commenced within 1 year
6 after the date on which the identity of the accused is
7 established, or should have been established by the
8 exercise of due diligence, through the analysis of
9 deoxyribonucleic acid (DNA) evidence; providing an
10 effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Subsection (15) of section 775.15, Florida
15 Statutes, is amended to read:

16 775.15 Time limitations; general time limitations;
17 exceptions.--

18 (15)(a) In addition to the time periods prescribed in this
19 section, a prosecution for any of the following offenses may be
20 commenced within 1 year after the date on which the identity of
21 the accused is established, or should have been established by
22 the exercise of due diligence, through the analysis of
23 deoxyribonucleic acid (DNA) evidence, if a sufficient portion of
24 the evidence collected at the time of the original investigation
25 and tested for DNA is preserved and available for testing by the
26 accused:

- 27 1. An offense of sexual battery under chapter 794.
28 2. A lewd or lascivious offense under s. 800.04 or s.
29 825.1025.

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30 3. Aggravated battery or any felony battery offense under
31 chapter 784.

32 4. Kidnapping under s. 787.01 or false imprisonment under
33 s. 787.02.

34 5. A burglary offense under s. 810.02.

35 6. A robbery offense under s. 812.13, s. 812.131, or s.
36 812.135.

37 7. Carjacking under s. 812.133.

38 8. Aggravated child abuse under s. 827.03.

39 (b) This subsection applies to any offense in subparagraph
40 1. or subparagraph 2. which ~~that~~ is not otherwise barred from
41 prosecution on or after July 1, 2004, and applies to any offense
42 in subparagraph (a)3. through subparagraph (a)8. which is not
43 otherwise barred from prosecution on or after July 1, 2006.

44 Section 2. This act shall take effect July 1, 2006.